

Two years ago, we debated the Australian FTA, and the Finance Committee adopted an amendment I offered then to protect our ranchers. It went through procedural contortions to drop the amendment. I said at the time:

This precedent strikes me as dangerous. It opens the process to abuse, and it reduces the Committee's role in crafting trade policy and trade legislation. It may have been expedient. . . . But I believe that we will come to regret this precedent. It invites a future President to ignore any recommendations made by the Committee on future trade implementing legislation.

Unfortunately, that prediction has come true. Here we are with another trade agreement, this time a trade agreement which was amended in the Finance Committee, the committee of jurisdiction, by a unanimous vote, and that amendment appears nowhere in the final product.

This process has become a sham. It is a snare and a delusion for Members here to think that Congress has any effect. There is no need for a Congress of the United States if this administration or any administration arrogates to itself the full power of the Government of the United States. That is what has now happened with trade agreements. The Congress may as well not exist. We may as well not be here because we have no ability to alter the outcome.

The only ability we have remaining is to reject the agreement outright. I have reached the conclusion that is the proper course. I believe we ought to reject this agreement on two bases: No. 1, it is a continuation of a failed trade policy that is driving us deeper and deeper into debt; and second, it is the product of a process that has become a complete sham. The facts speak for themselves.

Let me conclude. The Oman Free Trade Agreement promises few, if any, benefits to the U.S. economy and will actually make our trade deficit worse. Moreover, the safeguards that were supposed to protect against imports made under abusive sweatshop conditions have been summarily dropped from the bill, despite a unanimous vote in the committee of jurisdiction.

Finally, the process the Finance Committee followed sets a terrible precedent. No Senator should welcome the precedent that the administration can simply ignore the will of the Finance Committee on a particular trade issue important to the people we represent, secure in the knowledge that the trade implementing bill can be pushed through as part of a larger take-it-or-leave-it package.

So I hope my colleagues, even those who generally support trade agreements, will think long and hard about how they cast this vote. This vote is going to set another precedent—one more precedent—that says the fast-track process is completely broken.

If you believe the Senate and the Finance Committee should not have a voice on trade agreements and trade implementing bills and you support the

use of slave labor, human trafficking, and egregious, abusive sweatshops, you should vote for this bill. But if you believe that consultation under fast track should be meaningful, if you believe the mock markup process should not be a mockery, and if you oppose slave labor, you should vote against this bill.

I urge my colleagues to stand for a new direction in trade policy, to stand for agreements that benefit the American economy, and to vote against the Oman Free Trade Agreement.

As someone who has supported many trade agreements, I come to this conclusion reluctantly. I come to this conclusion only after 20 years of service in the U.S. Senate, seeing one after another of these trade agreements entered into, each one of them heralded as another great success, only to find that we are on course to running up the greatest trade deficit in the history of the United States—\$700 billion of trade deficit last year, headed for \$800 billion this year. Mr. President, if this doesn't send a message that we are on the wrong course, I don't know what would.

Finally, this is a process that is completely bankrupt—absolutely, completely bankrupt. I entered into the chance as a member of the Finance Committee to offer amendments in good faith. I did so responsibly. My amendment passed unanimously. Yet it is summarily dropped by the administration for no good reason.

Mr. President, this fast-track process is fast track all right; it is a fast track to decline. It is a fast track to rising deficits and debt. It is a fast track to the centralization of power in this country in the hands of a few in the administration, without regard to congressional input.

That is not the history of this institution. That is not the constitutional history of our country. We were not designed to be a government of only one branch, the executive branch. Our constitutional history suggests that this is to be a government of shared powers, with an executive branch, a legislative branch, and judicial branch, all with their appropriate roles.

Increasingly, with respect to trade, the role of the Congress is the role of a rubber stamp. Our Founding Fathers would be spinning in their graves seeing how the fast-track process has been contorted into a process that allows the administration to make the decisions with respect to the trade policy of this country, without an ability of Members of Congress to alter its course. That is a profound mistake, and we will regret it in the future.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

PROUD TO FIGHT FOR OUR FREEDOMS

Mr. ENZI. Mr. President, every day when the Wyoming papers come out, my staff in Wyoming looks through them and makes sure that information that is in them reaches me here in Washington in a timely way so that action then can be taken or information can be received or questions can be answered or people's personal problems that have been caused by the Federal Government can be taken care of.

Recently, there was a letter to the editor from a young man in our military. It appeared in the Torrington Telegram. It has a very important message for our country that I wanted to share with the country. These are the feelings of a young man serving in the military. I appreciate his effort in putting this letter in a Wyoming paper. I hope it makes several papers in Wyoming. I am going to make sure the people across America hear the message he is delivering to Americans. It is an important message for Americans, but apparently it is one on which the media is reluctant to report. So I am going to work to help him deliver the message.

Here is his letter. It is from Lee Freeburg:

I am a U.S. Navy Corpsman, having returned home for some relax time. I was reading through the Telegram and came across a letter to the editor titled "Bush using fear tactics."

I am appalled by the disrespect to the president of the great nation and the U.S. troops in Iraq and Afghanistan.

The president is doing his best to guide our country and keep us free. He is not the only one who makes decisions, (hence we are not a dictatorship.) Have we forgotten that we also have a House of Representatives and a Senate? This collection of Americans is Congress. For the president to send our troops, our sons (me) and daughters to war, it takes an act of Congress.

Sailor Freeburg continues:

I am proud to serve my country and my president, defending and bringing freedom to people all around the world.

I am outraged by people's attitudes toward this war; have we so soon forgotten 9-11? They attacked us first on our soil. . . .

Have you ever seen the look of gratitude in people's faces for the liberation from a dictatorship?

Then you do not understand what we (the U.S. troops stationed abroad) are doing.

We as Americans take our freedom so lightly and we need to stop and think. How did we come about to have these freedoms? Well, war. War earned our freedom, and war has kept it, from the American War for Independence to Operation Iraqi Freedom. Men have fallen, paid the ultimate price so that we as Americans can enjoy living without dictators like Hitler, Stalin and Saddam Hussein.

Sailor Freeburg goes on to write:

While other countries are building fences to keep people in, we have to build fences to keep people out. Now if the president were a dictator, would people be trying to float 90

miles across rough water on a wooden door, drinking their own urine, just to set one foot on American soil?

Where are the iron gates and armed guards? Where are the mass graves of innocent citizens, murdered for disloyalty to the dictator? There are none to be found on our soil. They do not exist. Why? Because we do not live under a dictator. Was President Lincoln a dictator? No, he even had to go to war with the south for freedoms we still enjoy today.

In closing, if this was a war for oil, why haven't we just taken over the entire country of Iraq and added it as the 51st state? I am proud to say, I am a gun-carrying Republican, and honored to be a part of the great-nation on earth.

America, be thankful for the freedom we enjoy because freedom is never free.

That is one of many letters that I receive wondering why more things are not said about the way the war is going in Iraq from the perspective of our troops who are over there, who are talking to the people who are affected by it.

Our troops are affected by what they hear and read from over here. They get their local newspapers. They get letters, and they want their message out, too. This is a perspective from a young man serving in our military, one of many.

A few years ago, one of the TV stations that goes into schools across this country did a show called "Young Men Who Saved the World." It was about World War II. The reason they ran this show was because there were a lot of reunions happening among soldiers who had been a part of World War II, and they were all old guys. The people in the schools were getting the impression that the war had been fought by old guys. So this channel that goes into these schools did this special broadcast.

What they did was go back and find the pictures of these men when they actually served in the military. They were young men. It made a distinct impression on the kids of this country that there were young people out there recognizing the value of freedom, the value of democracy, and willing to put their lives on the line to see that it was shared around the world.

I thank you, Sailor Freeburg, for your letter and for the message that needs to be delivered to the United States.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to be recognized in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOOD SAFETY

Mr. DURBIN. Mr. President, last Friday the Nation's largest grower of organic produce announced a recall of fresh spinach products that they feared could be linked to the deadly e-coli outbreak. So far, the Food and Drug Administration has reported that a 77-year-old woman from Wisconsin has died, 14 persons have suffered from kidney failure, and at least 94 individuals have fallen ill after eating prepackaged spinach suspected of being contaminated with e-coli. That is a total of 109 people in 19 different States.

This is not the first time produce has been contaminated with e-coli. According to the Center for Science in the Public Interest, between 1998 and 2004, there were 492 e-coli outbreaks that were linked to fruits, vegetables, and fresh produce products such as prepackaged salads. In fact, there were 86 outbreaks in the year 2004 alone.

The Centers for Disease Control and Prevention, the CDC, estimates that as many as 76 million people suffer from food poisoning in our country each year. Of those individuals, 325,000 will be hospitalized, and more than 5,000 will die. Children and the elderly are especially vulnerable.

Despite these statistics, our food supply is still the safest in the world. However, there are widening gaps in our food safety system due to the fact that food safety oversight has evolved over time and has spread across so many different governmental agencies. Several Federal agencies, all with different and sometimes conflicting missions, work to ensure that the food we eat is safe. The U.S. Department of Agriculture's Food Safety and Inspection Service regulates meat, poultry, and processed egg products. The Food and Drug Administration Center for Food Safety and Applied Nutrition and Center for Veterinary Medicine regulate produce and other food products. Finally, the Centers for Disease Control and Prevention tracks food-borne illnesses.

One stark example of the inconsistencies in our food safety system is the lack of standardization for food inspection. Processed food facilities may be inspected by the FDA once every 5 or 6 years, while meat and poultry operations are inspected every single day by the U.S. Department of Agriculture. This mismatch, piecemeal approach to food safety could spell disaster if we don't act decisively and wisely. That is why, since the 105th Congress, I have been pushing for a single food safety program. It is not a new idea. In fact, one of my predecessors is U.S. Senator Charles Percy, of Illinois, who raised this same issue several decades ago—and he wasn't the first.

It doesn't take a person with an advanced degree in government to look at so many different agencies of our Federal Government doing some part of food safety and wonder why we don't put the whole responsibility under one roof, guided by science and an oper-

ation that is administered by true professionals. Instead, what we have done is watched as our food safety system has evolved. From Upton Sinclair's landmark novel "The Jungle," which shamed America through the Teddy Roosevelt administration into creating the first food safety standards for our country, to the most recent outbreak, we are reminded time and time again of our vulnerability.

We assume that the food we are eating and the food we are serving to our families and our children and our elderly parents is safe, and by and large it is the safest in the world. But we can do better, and this e-coli outbreak involving spinach is a reminder.

This bill that I push would give that single food agency the authority to protect the food supply based on science. This agency would provide our country with the greatest hope of reducing food-borne illness and preventing or minimizing the possible harm from any bioterrorist attack involving our food supply.

Former HHS Secretary Tommy Thompson told reporters, when he resigned in December 2004, that he worries "every single night" about a massive attack on the U.S. food supply. Here is what he said. Tommy Thompson, a member of President Bush's Cabinet, said this:

I, for the life of me, cannot understand why the terrorists have not, you know, attacked our food supply, because it is so easy to do. And we are importing a lot of food from the Middle East, and it would be easy to tamper with that.

We recognized the need for a unified Department of Homeland Security, but we have not taken the same step with our food supply.

I might say, parenthetically, that it has been my experience in Washington that when I raise this issue with people currently serving in an administration, either as Secretary of Health and Human Services or Secretary of Agriculture, they have real problems with the idea of bringing all of these responsibilities under one roof and coordinating this effort and stopping the duplication and mismanagement. It is not until they leave Government, in their farewell speech, that they all say: And you know, one thing we should have done is we should have brought all that food safety under one roof.

This is a problem for those who face the special interests groups that are afraid of change. But this change is a change America needs—to have food safety based on science and an agency administered by real professionals.

S. 729, the Safe Food Act of 2005, would create a single, independent Federal food safety agency to administer all aspects of Federal food safety, including inspections, enforcement, standards-setting, and research in order to protect the public.

The components of the agencies now charged with protecting the food supply, primarily housed at the Food and Drug Administration and the Department of Agriculture, would be transferred to this new agency.